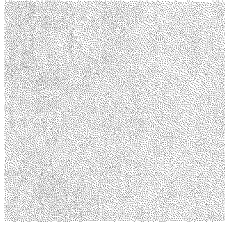


To: Pemberton, Scott[Pemberton.Scott@epa.gov]
From: Mehta, Sandeep
Sent: Tue 2/10/2015 7:32:53 PM
Subject: FW: Your email of February 09, 2015 3:27 PM



Please see the email below. We can discuss this email tomorrow around 1.00 if you have time.

Regards,

Sandeep Mehta, P.E.

mehta.sandeep@epa.gov

Phone: 913-551-7763



From: George, Gazi (Environmental) [mailto:gazi.george@titan-intl.com]
Sent: Tuesday, February 10, 2015 11:43 AM
To: Mehta, Sandeep
Cc: Mills, Brian (Safety); Hylton Jackson; Vern Rash; jcramm@tiilegal.com
Subject: Your email of February 09, 2015 3:27 PM

Mr. Mehta

*I am asking for your assistance in giving DICO and its consultants directives as to how-
to properly respond to USEPA request in your notice of acceptance letter dated
February 9th, 2015*

Regarding the issue of providing USEPA of a "corrective Action Plan to address partial

or complete failure of the system”.

Mr. Mehta

Although the system has been in place since 1987, DICO has replaced every part and component whether being part of the wells, piping, meters, pumps, electrical circuit breakers and the tower packing/ equipment. Apart from saying that DICO will fix everything and anything that fails or might fail or breaks to maintain proper operations! DICO is conducting all the necessary maintenance and preventative maintenance on site on operational equipment, Mr. Brian Mills frequents the facility 3 times a week, to insure proper response to any system malfunction and has been punctual in notifying you of any minor or major issue. Furthermore, DICO has spent \$millions over the past years in replacing equipment and consumables at the DICO site as can be seen in the Purchase Orders and corresponding issued checks . We even voluntarily contracted a security company to minimize sabotage and theft of copper wires or equipment.

I am sure you understand that it is impossible to develop any corrective action plan to forecast a pump failure, or when a motor burns-out, a circuit breaker malfunction due to acts of God such as lightening, wind or surges from the power station, blockages in hydrogeological formations exceeding 100 feet underground or things as simple as a heating trace wire fusing out after operating for 10 years plus and/or a pipe freezing because of the latter.

Simply Mr. Mehta, this request is unreasonable unless you can reference even one incident that shows any lack of response by DICO or dedication of funds and/or any associated intentional delays in calling relevant reputable mechanical or electrical contractors, I have no idea how respond to your request and provide guidance for my client, DICO; meanwhile, if you have any specific references to pumps that don't fail, motors that don't burn, circuit breakers that don't blow up due to electrical surges from the power plants etc. please forward such information and we will be glad to review and implement.

I believe that you should reconsider this request since it is totally unreasonable and it is apparent that it is more politically driven than being in any way reasonable or achievable, or even doable.. Simply, DICO will fix everything and anything that fails or might fail or breaks to maintain proper operations and minimize downtime. We simply cannot forecast mechanical, electrical, extreme weather or acts of God to be able to give you a meaningful “corrective action plan” without specifying details or examples. Simply, DICO is in full compliance with the order issued by USEPA and Brian Mills does everything to maintain the DICO systems to the best that is humanly achievable.

I am sending you this email in the spirit of cooperation to solicit guidance from EPA of how to respond in the 30 day window short of saying DICO will fix everything and anything that fails or might fail or breaks to maintain proper operations, minimize downtime and will notify USEPA of the issue, repair schedule and progress. I will be glad to receive your directives or revision to your letter dated February 9th, 2015 .

Thank you.

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